

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

WNI 22-029014
LOGS Legal Group LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856) 793-3080
Kathleen M. Magoon - 040682010
Elizabeth L. Wassall - 023211995
ATTORNEYS FOR WELLS FARGO BANK, N.A.

In Re:

GODFRIED BANING,
DEBTOR

Case No.: 22-18279-MBK

Judge: HONORABLE MICHAEL B.
KAPLAN

Chapter: 13

NOTICE OF OBJECTION TO CONFIRMATION

The undersigned, LOGS Legal Group LLP, attorneys for the Secured Creditor, Wells Fargo Bank, N.A., the holder of a Mortgage on Debtor's property located at 370 Willowbrook Drive, North Brunswick, NJ 08902, hereby objects to the Confirmation of the Debtor's proposed Chapter 13 Plan, ECF # 10, on the following grounds:

- 1) Debtor's proposed Chapter 13 Plan does not provide for the curing of the mortgage arrearage accrued at the time of the Bankruptcy filing to Secured Creditor. Secured Creditor is owed pre-petition arrearage in the amount of \$1,526.75 per Proof of Claim 2-1.
- 2) Debtor's proposed Chapter 13 Plan does not provide for the Secured Creditor to receive distributions with a value equal to the allowed amount of its claims required by 11 U.S.C.1325(a)(5)(B)(ii).
- 3) Debtor's proposed Chapter 13 Plan fails to list Secured Creditor under Part 4a of the Chapter 13 Plan for curing and maintaining payments.

4) Debtor's proposed Chapter 13 Plan does not provide the amount to maintain ongoing contractually due monthly obligations to Secured Creditor in violation of 11 U.S.C. 1322(b)(5).

WHEREFORE, Wells Fargo Bank, N.A. respectfully requests that the Confirmation of Debtor's Chapter 13 Plan be denied, and that the Debtor be required to file an Amended Chapter 13 Plan providing for full payment of arrears due to the Secured Creditor.

LOGS LEGAL GROUP LLP

By: /s/Elizabeth L. Wassall
Elizabeth L. Wassall - 023211995

Dated: 11-17-2022

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CERTIFICATION OF SERVICE

I, Ryan Cartrette the undersigned

1. ☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Kathleen M. Magoon, Esquire and Elizabeth L. Wassall, Esquire, who represents the Secured Creditor in the above-captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On _____, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

- Notice of Objection to Confirmation

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature

Dated: 11/17/2022

/s/ Ryan Cartrette
Printed Name

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Robert C. Nisenson, LLC 10 Auer Court Suite E East Brunswick, NJ 08816		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Godfried Baning 370 Willowbrook Dr. North Brunswick, NJ 08902		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.